

UNITED STATES DISTRICT COURT EASTERN
DISTRICT OF TENNESSEE

THE HANOVER INSURANCE COMPANY,)
)
Plaintiff,) Case No. 3:13-cv-00010
)
v.)
)
JOLLEY BUILDING, LLC, EDGAR M. JOLLEY)
and LAURA F. JOLLEY.)
)
Defendants.)

JUDGMENT

THIS MATTER came before the Court upon Plaintiff The Hanover Insurance Company's Motion for Default Judgment against Defendants Jolley Building, LLC, Edgar M. Jolley and Laura F. Jolley (collectively, the "Defendants"). It appears that said Motion is well taken and should be **GRANTED**, and default judgment is hereby entered against the Defendants, jointly and severally, for:

- (1) Specific performance of Paragraph 3 of the Agreement of Indemnity, requiring the Defendants to deposit collateral security with Hanover in an amount no less than \$5,800,000.00;
- (2) Specific performance of Paragraph 8 of the Agreement of Indemnity, requiring the Defendants to provide full and free access to their books and records;
- (3) A judgment of liability, requiring the Defendants to indemnify Hanover for all claims, demands, liabilities, costs, charges, suits, judgments and expenses which Hanover may sustain or incur, including interest, court costs, consultants fees and attorneys' fees, by reason of having (i) executed bonds on behalf of Jolley Building, LLC, (ii) making an independent investigation of any claim, demand or suit under any bond issued on behalf of Jolley Building, LLC, (iii) in defending any suit, action, or other proceeding brought against Hanover under any bond issued on behalf of Jolley Building, LLC, and (iv) in enforcing the covenants and terms of the Agreement of Indemnity.

This judgment shall be final and appealable under Rule 54(a) of the Federal Rules of Civil Procedure, and Hanover shall be allowed to seek immediate enforcement of the Defendants' obligations under the Agreement of Indemnity. Nothing herein is a waiver of any right of Hanover to hereinafter seek a damages judgment against the Defendants under the Agreement of Indemnity.

IT IS SO ORDERED.

ENTER:

ENTERED AS A JUDGMENT
s/ *Debra C. Poplin*
CLERK OF COURT

s/ Thomas W. Phillips
United States District Judge